

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al.,

No. C 05-551 SI

Plaintiffs,

**ORDER RE: MOTIONS FOR DEFAULT
JUDGMENT**

v.

ANTHONY BRIAN MINIX, et al.,

Defendants.

AND RELATED CROSS-ACTIONS

On August 22, 2006, the motions for default judgment against defendant Brian Anthony Minix, individually and doing business as Minix Excavators, came on for hearing. (Docket Nos. 39, 47). Nobody appeared for defendant Minix. After careful consideration of the motions, the Court hereby GRANTS the motions except as follows:


1. The Court will award \$12,434.75 in attorneys' fees and costs to plaintiffs, rather than the full amount requested. The Court has made a deduction for time spent attending the case management conference, *see* Mainguy Decl. ¶ 3. The Court determines that 3.5 hours is a reasonable amount of time for this task.
2. The judgment shall not order Minix to pay additional, presently unknown amounts that may be determined as a result of the audit. However, if the audit reveals that Minix owes additional amounts to plaintiffs, plaintiffs may file a motion to amend the judgment.
3. The Court will award \$\$4,231.96 in attorneys' fees and costs to cross-complainant

American Contractors Indemnity Company. The Court has disallowed the fees sought for attending the August 22, 2006 hearing, as counsel appeared by telephone, and the hearing was brief.

The Court shall issue separate judgments.

IT IS SO ORDERED.

Dated: August 23, 2006



SUSAN ILLSTON
United States District Judge